

REMARKS

Claims 41 – 60 were pending in the application. Claims 41, 43 – 48, 50, 53 – 55, 57, 59 and 60 have been amended. Claims 42, 49 and 56 have been canceled. Claims 41, 42 – 48, 50 – 55 and 56 – 60 remain pending in the application.

Claim Objections:

The Examiner objected to claim 47 because of an informality. Claim 47 has been amended to overcome the objection.

Claim Rejections Under 35 U.S.C. 112:

The Examiner rejected claims 46, 47, 53, 54, 59 and 60 under 35 U.S.C. 112 for insufficient antecedent basis for the limitation “the first and second storage media”. Claims 46, 47, 53, 54, 59 and 60 have been amended to overcome the rejection.

Claim Rejections Under 35 U.S.C. 103:

Claims 41 – 45, 48 – 52 and 55 – 58 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dings (U.S. Patent No. 6,934,725) in view of Ohran (U.S. Patent No. 6,085,298). Claims 46, 53 and 59 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dings in view of Ohran, further in view of Dunham (U.S. Patent No. 6,714,952). Claims 47, 54 and 60 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dings in view of Ohran, further in view of Kodama (U.S. Patent No. 6,542,962).

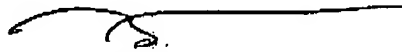
Applicants respectfully submit that none of the prior art references, taken singly or in combination, teach or suggest the combination of limitations recited in claim 41. In particular, the limitations of **“prior to backing up data of the portion of the frozen image, determining whether the first mapping of the portion of the frozen image remains valid using a validity indicator”** and **“in response to determining that the mapping is no longer valid, obtaining an updated mapping of the portion of the frozen image and accessing data of the portion of the frozen image from the first storage medium using the updated mapping”** as part of **“completing a backup operation”** are not taught or suggested anywhere in the art cited by the Examiner. Claim 41 is therefore believed to patentably distinguish over the cited art. Independent claims 48 and 55 also include a combination of limitations using similar language, and are therefore also believed to be allowable. As the remaining claims depend upon the independent claims 41, 48 or 55, the remaining claims are also believed to be allowable.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5760-16800.

Respectfully submitted,



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